

### REMARKS

In the September 25, 2007 Office Action, all of the claims stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

#### *Status of Claims and Amendments*

In response to the September 25, 2007 Office Action, Applicants have amended claims 1, 6, 8, 11, 13, 15, 17 and 20. Also, Applicants have added new claim 21 as indicated above. Thus, claims 1-21 are now pending, with claims 1 and 21 being the only independent claims. Claims 6, 8, 11, 13, 15 and 17 have been amended to be consistent with amended independent claim 1, and so that these claims more closely conform to common U.S. practice. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

#### *Rejections - 35 U.S.C. § 102*

In paragraphs 3-7 of the Office Action, claims 1 and 10-14 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,218,753 (Asano et al.). In response, Applicants have amended independent claim 1 to more clearly distinguish the prior art of record.

In particular, independent claim 1 now requires, *inter alia*, the first non-magnetic layers and the second non-magnetic layers being positioned symmetrically relative to the pole centers. Independent claim 1 already required the first non-magnetic layers and the second non-magnetic layers being positioned to cancel n-th order harmonics (where n is an odd number and is equal to or greater than 3) of an induction voltage. Clearly, this unique arrangement is *not* disclosed or suggested by the Asano et al. patent or any other prior art of record. Rather, in Asano et al., the so-called non-magnetic layers are *asymmetrically* positioned relative to pole centers of the rotor poles, as seen in Figure 6. Moreover, as acknowledged in the Office Action on page 5, "Asano et al. do not explicitly disclose the use of 3-rd order harmonics or other multiples of 3." It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore, Applicants respectfully submit that claim 1, as now amended, as well as its dependent claims 10-14 are not anticipated by the Asano et al.

patent (i.e., because this reference fails to disclose the unique combination of features set forth in independent claim 1). Accordingly, withdrawal of this rejection is respectfully requested.

### ***Rejections - 35 U.S.C. § 103***

In paragraphs 8-17 of the Office Action, claims 2-9 and 15-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Asano et al. patent in view of U.S. Patent No. 6,972,503 (Hasumi). In response, Applicants have amended independent claim 1 to more clearly define the present invention over the prior art of record, as mentioned above.

In particular, independent claim 1 now requires, *inter alia*, the first non-magnetic layers and the second non-magnetic layers being positioned symmetrically relative to the pole centers. Independent claim 1 already required the first non-magnetic layers and the second non-magnetic layers being positioned to cancel n-th order harmonics (where n is an odd number and is equal to or greater than 3) of an induction voltage. Clearly, this unique arrangement is *not* disclosed or suggested by the Asano et al. patent and/or the Hasumi patent, whether taken alone or in combination. Rather, in Asano et al., the so-called non-magnetic layers are *asymmetrically* positioned relative to pole centers of the rotor poles, as seen in Figure 6, as mentioned above. Moreover, as acknowledged in the Office Action on page 5, "Asano et al. do not explicitly disclose the use of 3-rd order harmonics or other multiples of 3." The Hasumi patent fails to account for the deficiencies of the Asano et al. patent with respect to independent claim 1. Specifically, the Hasumi patent fails to disclose or suggest symmetrically disposed first and second non-magnetic layers whatsoever. Accordingly, even if the Hasumi patent discloses the features asserted by the Office Action, and were somehow combined with the device of the Asano et al. patent as asserted in the Office Action, the hypothetical device created by such a hypothetical combination would not include all of the features of independent claim 1 as now amended. Accordingly, withdrawal of this rejection of dependent claims 2-9 and 15-20, which depend from independent claim 1, is respectfully requested.

### ***New Claims***

Applicants have added new claim 21 by the current Amendment. New claim 21 is an independent claim that is similar to independent claim 1.

New independent claim 21 requires a rotor core having a rotor surface; a plurality of permanent magnets embedded in the rotor core with each of the permanent magnets each defining a pole of the rotor, each pole of the rotor having a pole center, and a peripheral edge section of each of the permanent magnets being located in a vicinity between the poles and a vicinity of the rotor surface; and a plurality of non-magnetic layers being located a vicinity of the rotor surface at a pole center side position with respect to the peripheral edge section of each of the permanent magnets, with *the peripheral edge sections and the non-magnetic layers being positioned to cancel n-th order harmonics (where n is an odd number and is equal to or greater than 3) of an induction voltage, the non-magnetic layers being positioned symmetrically to the pole centers*. In other words, new independent claim 21 requires an arrangement similar to independent claim 1, but does not require a plurality of second non-magnetic layers. In Asano et al., the so-called non-magnetic layers are *asymmetrically* positioned relative to pole centers of the rotor poles, as seen in Figure 6, as mentioned above. Moreover, as acknowledged in the Office Action on page 5, "Asano et al. do not explicitly disclose the use of 3-rd order harmonics or other multiples of 3." The Hasumi patent fails to disclose or suggest symmetrically disposed first and second non-magnetic layers whatsoever.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-21 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested. If there are any questions regarding this Amendment, please feel free to contact the undersigned.

Respectfully submitted,

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